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Chizuk - Inspiration

The Gemorah in Brachos discusses the very high level of Emes (truth) practiced by Rav Safra. This level of Emes is called, “Dover Emes Bilvavo” – speaking truth in one’s heart. This means honoring an intention or commitment that one makes to oneself, as if it was actually verbalized and promised to another. The Gemorah relates that Rav Safra was once sitting in his store when a customer walked in and offered him a price for some merchandise. Rav Safra did not respond because he was in the middle of reciting Kriyas Shema at that moment. Although nothing was verbalized, Rav Safra resolved to sell the item to the customer at the price that was offered. The customer then mistook Rav Safra’s silence as a rejection of his offer and offered a higher price. When Rav Safra still did not respond, the customer raised his price again. This happened several times until Rav Safra finished saying Kriyas Shema and was able to talk. He turned to the customer and told him that he had resolved in his own mind to sell the merchandise at the first price the customer had offered him, and therefore, would need be able to take a penny more.

Rav Leizer Yudel Finkel ZT”L, the son of the Alter of Slabodka, was the Rosh Yeshiva of the Mir Yeshiva in Poland. Shortly after he had re-established the Yeshiva in Jerusalem, he partnered with the Chazon Ish to help assist in the launching of a new Yeshiva in Tiberias for Sefardic children. He agreed to split the expenses of the new Yeshiva for the first few months with the Chazon Ish.

After the first few months, one of Rav Leizer Yudel’s students noticed that Rav Leizer Yudel continued to financially support the Yeshiva in Tiberias. The student asked his Rebbe, “Rebbe, how can you afford this? Don’t you have your own Yeshiva to support!” Rav Leizer Yudel responded, “How can I not continue to do so? I promised!” The student responded, “But I was with you when you

made the commitment to support the Yeshiva for the first few months. You never committed to anyone that you would provide support for more than that.” Rav Leizer Yudel responded, “You are correct. I did not promise anyone else that I would continue my support of the Yeshiva, but I made a commitment to myself that I would, and I intend to keep that commitment.”

Halacha – Jewish Law

QUESTION: My friend’s father is a manufacturer and occasionally goes to China for business purposes. As you likely know, China is a large manufacturer of counterfeit goods. On his next business trip, may I ask him to buy me a counterfeit Gucci Marmont GG bag (\$1800 real; fake \$25)? How about a Montclair coat (\$1500 real, fake \$200)?

ANSWER: Let’s distinguish between American law and Halacha. According to the following authoritative website, www.CustomsandInternationalTradelaw.com, generally speaking, it is illegal to import counterfeit merchandise into the United States. The word “counterfeit” is defined in the Lanham Act at 15 U.S.C. 1124, and the U.S. Customs applicable law allowing for the seizure of counterfeit merchandise is 19 U.S.C. 1526. That law gives U.S. Customs officers at the airport the authority to look through luggage and seize counterfeit merchandise.

According to Customs Directive No. 2310-011A dated January 24, 2000, “Customs officers shall permit any person arriving in the United States to import one article, which must accompany the person, bearing a counterfeit, confusingly similar, or restricted gray market trademark, provided that the article is for personal use and not for sale.” Moreover, the Directive states that “Customs officers shall permit the arriving person to retain one article of each type accompanying the person.”

Other restrictions are that one can only bring counterfeit

items in every 30 days, it must “accompany” you which means no FedEx, UPS, or DHL packages, and it is only applicable to “one article of each type”. “Personal use” means for you, the traveler only. That means no counterfeit gifts for your friends and family. That is the American law as it relates to the importing of counterfeit goods.

According to Halacha, regarding the purchase of counterfeit goods, please note the following: Buying counterfeit merchandise is a Torah prohibition of Gezel (theft) according to Rav Mendel Shafran Shlita. According to Rav Nissim Karelitz ZT”L it is a Rabbinic prohibition (as related by Rav Shlomo Perlstein, a Dayan in Monsey and formerly of Bnei Brak).

On The Parsha

Bnei Yisrael had sinned by worshiping the golden calf. Moshe Rabbeinu interceded on behalf of Bnei Yisrael and begged Hashem for forgiveness. The Pasuk states: “And Hashem passed before him and [Moshe] proclaimed: Hashem, Hashem, benevolent G-d, Who is compassionate and gracious, slow to anger and abundant in loving kindness and truth...” (Exodus 34:36)

Rav Yitzchok Hutner ZT”L, the Rosh Yeshiva of Yeshiva Chaim Berlin, poses a fundamental question. Why did Moshe appeal to Hashem’s attribute of Emes – truth, when asking for forgiveness? In truth, from a strict justice perspective, people do not deserve to be forgiven. When dealing with forgiveness, we ask for Hashem’s kindness and mercy. Why did Moshe include Hashem’s attribute of Emes when praying for their forgiveness?

Rav Shneur Kotler ZT”L (Noam Siach p. 251) explains that although the very foundation of forgiveness when one repents (Teshuva) emanates from the attribute of Chessed – kindness, once the concept of Teshuvah was presented in the Torah (the Midrash quotes Kayin telling Adom that he did Teshuva for killing Hevel) it becomes part of Torah, and as a consequence, it is Truth itself, because everything in the Torah is true. In addition, because it is now part of Torah, it is eternal and unchanging which are defining characteristics of truth. Therefore, Moshe was correct in including Hashem’s attribute of Emes when praying for Hashem to accept Bnei Yisrael’s Teshuva.

As an example of Teshuva’s eternal nature and efficacy, Rav Kotler further explains that Hashem will always

provide us with the opportunity to have our sins forgiven when we do Teshuvah and that in a similar vein, Rabbeinu Yonah writes (Shaarei Teshuvah 1:9) that for every Teshuvah that one does, there is always at least some form of forgiveness.

Mussar – Introspection

This week, we continue with translating the Chofetz Chaim’s Sefer entitled, “Sefas Tamim.” Sefas Tamim, from which our foundation takes its name, focuses on the importance of honesty in word and in deed.

“Now, this Mitzvah of being careful not to steal is a logical Mitzvah, and even if it was not given in the Torah, man would still have logically deduced it. Now, this is one of the Seven Mitzvos commanded by Hashem to the first man in creation. Man must conduct his business honestly, and his hands must be clean of any theft, in order that he merit to ascend to the holy mountain of Hashem. Dovid HaMelech A”H, expressed this idea in Tehillim (24:3-4) ‘Who will climb the mountain of Hashem and who will stand in the place of His holiness? One with clean hands and a pure heart.’ From this we learn that whoever steals is distant from Hashem’s mountain and from the place of His holiness. Chazal have similarly expounded on this that whoever has in his possession something that was stolen will not be allowed entry into the chamber (presence) of HaKadosh Boruch Hu, as the Passuk states (Tehillim 5:5) ‘bad cannot dwell with You.’ – meaning, in Your presence, bad will not dwell.”

*“May I back out of a school carpool that I have already committed to?”
 “Should I report a co-worker who is acting dishonestly?”*

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